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2 Russians Plead Guilty in Spy Case

Wife Faces 18-Year Term, Husband 8 Years in Plot to Recruit FBI Agent

By WILLIAM OVEREND, *Times Staff Writer*

Accused Soviet spies Svetlana and Nikolai Ogorodnikov pleaded guilty to conspiracy to commit espionage Wednesday in Los Angeles federal court in a plea-bargain arrangement negotiated in the last two days with federal prosecutors.

Under the agreement, approved by U.S. District Judge David V. Kenyon, Ogorodnikov was immediately sentenced to eight years in prison. His wife is to be sentenced July 15 to an 18-year prison term.

The guilty pleas came two months after the beginning of the Ogorodnikov spy trial, in which the two Russian emigres were accused of working as utility agents for the Soviet KGB in a plot to recruit former FBI agent Richard W. Miller as a Soviet spy.

Defense lawyers, citing a gag order issued by the judge barring any comment on the case, refused to discuss the change of heart by their clients, who had steadfastly maintained their innocence since their arrests Oct. 2.

Faced Life Terms

The Ogorodnikovs, if convicted of the charges they faced, could have been sentenced to life in prison. As part of the plea bargain, bribery charges against both were dropped.

In the sudden and dramatic conclusion of the trial, Ogorodnikova wept and her husband delivered an angry hourlong tirade against the U.S. government and the FBI before his sentencing.

Referring to Ogorodnikova's sexual relationship with Miller, who will face his own espionage trial later this summer, Ogorodnikov exploded in rage:

"They raped my wife. They took my wife and turned her into a

prostitute. I just said everything to help her. She is the reason I am here."

The Ogorodnikovs, who immigrated to the United States from the Soviet Union in 1973 and lived in Hollywood, were arrested with Miller on Oct. 2 after a massive monthlong FBI counterintelligence operation code-named Whipworm.

Miller, who had been the government's main witness against them during the last two weeks of the trial, met Ogorodnikova on May 24, 1984, and testified that he began a sexual relationship with her a few days later.

Secret Documents

The government claims that the former counterintelligence agent passed secret FBI documents to the Ogorodnikovs later in the relationship in exchange for Ogorodnikova's sexual favors and the promise of \$65,000 in gold and cash.

Miller's lawyers, Stanley Greenberg and Joel Levine, declined comment Wednesday on the effect of the guilty pleas on their client's case, saying only that they look forward to Miller's trial being moved up from its present scheduled start Aug. 6. Miller was not in the courtroom Wednesday.

A fourth alleged conspirator in the scheme to obtain FBI documents is Alexandr Grishin, a vice consul of the Soviet Consulate in San Francisco, who was not prosecuted because of diplomatic immunity.

The Times learned that Grishin, who had remained at the San Francisco consulate since the October arrests, left the United States Sunday to begin what was described as a vacation in Moscow. Officials in Washington said they do not know whether he will

return.

While plea-bargain talks had begun earlier in the trial of the Ogorodnikovs, the first indication that they had reached a critical point came Tuesday, as Miller was preparing to take the stand for another day of testimony.

Announcing that the lawyers needed to resolve something of importance that "only recently developed," Kenyon sent jurors home for the day and later met for more than an hour in his chambers with government and defense lawyers.

At the end of Tuesday's secret session, Ogorodnikova emerged in tears and exchanged angry words with her husband. The Times subsequently learned that Ogorodnikova had agreed to a plea-bargain arrangement but that her husband had objected to it.

Insisted on Both

The government's position, sources said, was that it would not accept a plea bargain from just one of the defendants.

In court Wednesday morning, Ogorodnikov still showed signs of resisting the agreement worked out by his attorney, federal public defender Randy Sue Pollock, and defense lawyers for Ogorodnikova.

A 10 a.m. hearing was delayed for two hours as Pollock consulted with Brad Brian and Gregory Stone, the two defense lawyers representing Ogorodnikova, as well as government prosecutors Bruce G. Merritt and Richard B. Kendall.

By noon, however, final arrangements were complete. After 27 days of testimony in the spy case, Kendall stood to inform Kenyon officially that the plea-bargain talks had successfully concluded.

"The parties have agreed on a disposition of the case," Kendall said. "It will be by guilty pleas by both defendants. It is the government's view that justice will be done."

Announcing his acceptance of the sentencing arrangement, Kenyon said it appeared that both sides had given "considerable thought to the matter and feel it is in the interests of the public and of justice."

At Kendall's request, the judge then began questioning Ogorodnikov to make sure that he understood his guilty plea and to determine that, in fact, the 52-year-old

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immigrant was guilty of being a part of the conspiracy.

Ogorodnikov, although extremely agitated, limited himself at first to impatiently confessing his guilt, seemingly anxious to end his courtroom ordeal as quickly as possible.

"Yeah, I plead guilty. Sure," he said, helped at times by a Russian translator who has assisted him since his arrest and throughout earlier trial proceedings.

Ogorodnikov, regarded by prosecution and defense as the defendant who was least involved in the conspiracy, then waived his right to a probation report before sentencing. When Merritt rose to argue that Ogorodnikov should not receive any special consideration for early parole, the defendant launched into his tirade, again using an interpreter.

"I understand the whole situation very well here," he said. "I knew I'd be sacrificed in this case."

Lifetime Drinker

Pointing to his wife as she sat crying at the defense table, Ogorodnikov added:

"She drank her whole life, and she is the reason I am here. You have to understand my feelings. I was in a Soviet prison for 15 years and I sat in the Gestapo prison. I'm not afraid of American prison. American prison is not too bad."

Kenyon, thanking Ogorodnikov for his words to the court, then sentenced him to the agreed eight-year term, noting that he will be eligible for parole after serving a third of his sentence.

In contrast to her husband's dramatic speech, Ogorodnikova's guilty plea was restrained. Describing her involvement in the conspiracy, however, she provided details not previously confirmed.

Ogorodnikova agreed with Brian's account that she had first been recruited by Soviet intelligence in Moscow in October, 1983, to attempt to persuade retired FBI agent John Hunt to work for the Soviet Union.

That plan failed, however, after Hunt, who had once used Ogorodnikova as an informant, dropped her as being too unreliable. Brian said the Soviets pressured her again after she met Miller and made another trip to Moscow in June, 1984.

"In August of 1984 Miller told her he wanted to work for the Soviet government and would sell them everything they wanted," Brian said, and Ogorodnikova agreed. "In making arrangements, she knew Miller was going to take documents and she knew he was doing so unlawfully and that she was acting unlawfully."

Kenyon, after accepting her plea of guilty, set her sentencing for July 15 and indicated that he plans to begin Miller's trial as soon as possible.